THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 853 of 2006

Dated:01.02.2006

Between:

Chakali Chinaswamy, S/o Venkata Narasaiah

..... PETITIONER

AND

The District Collector, East Godavari District

At Kakinada and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.853 of 2006

ORDER:

The petitioner challenges the proceedings, dated 26.12.2005, issued by the District Collector, East Godavari, the first respondent herein, cancelling the caste certificate, dated 25.05.1998 issued to the petitioner. The petitioner was issued the caste certificate to the effect that he belongs to Scheduled Tribe and on that basis he contested the elections held to the Gram Panchayat and was elected as Sarpanch. On receiving complaints from various circles, the District Collector, East Godavari, initiated proceedings under Section-5(1) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, (for short 'the Act'), and ultimately, cancelled the caste certificate issued to the petitioner.

This Court is not inclined to entertain the writ petition because the petitioner had an alternative remedy by way of appeal under Section-7(2) of the Act. Therefore, the writ petition is dismissed, leaving it open to the petitioner to avail the remedy of appeal. The appellate authority shall entertain the appeal without raising any objections as to limitation, if it is presented within a period of four weeks from today. There shall be no order as to costs.

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01.02.2006

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